

**Know all Men by these Presents,** 38-76

014688

**That** the ELKS CLUB OF WATERVILLE, MAINE, INC., a corporation duly organized and existing under and pursuant to the laws of the State of Maine and having its place of business at 15 Appleton Street, Waterville, Kennebec County, Maine, in consideration of one dollar (\$1.00) and other good and valuable considerations

paid by PERCY B. SMITH, JR. and NATALIE S. SMITH, husband and wife,

whose mailing address is 18 Broadway Street, in the City, County and State as aforesaid - 04901,

TRANSFER  
TAX  
PAID

the receipt whereof it do es hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said PERCY B. SMITH, JR. and NATALIE S. SMITH

as joint tenants and not as tenants in common, their heirs and assigns forever,

A CERTAIN LOT OR PARCEL OF LAND together with the buildings and improvements erected thereon and located at the intersection of the westerly line of proposed Lynn Street and the southerly line of Barnet Avenue, so-called, situate, lying and being in the City of Waterville, County of Kennebec and State of Maine and bounded and described as follows, to wit: -

BEGINNING at an iron pin located in the southerly line of Barnet Avenue, which iron pin is fifteen and fifty-hundredths (15.50) feet along a curve from an iron pin in the westerly line of proposed Lynn Street; thence N 78° 06'W along the southerly line of Barnet Avenue, a distance of ninety (90) feet to an iron pin; thence S 11° 56'W, a distance of one hundred forty-one and two-tenths (141.2) feet to an iron pin; thence S 77° 53'E, a distance of one hundred three and one-tenth (103.1) feet to an iron rod in the westerly line of proposed Lynn Street; thence N 10° 42'E along the westerly line of proposed Lynn Street, a distance of one hundred thirty-one and six-tenths (131.6) feet to an iron pin; thence along a curve to the left, fifteen and fifty-hundredths (15.50) feet to the iron pin in the southerly line of Barnet Avenue and being the point of beginning.

MEANING AND INTENDING to convey Lot No. 7 as shown on a certain Plan entitled "Subdivision of Land of Lester T. Jolovitz" and approved by the Waterville Planning Board - May 23, 1983 and recorded in the Kennebec County Registry of Deeds in File No. E-83062.

BEING the same premises conveyed to the said Grantor herein under and by virtue of a certain Warranty Deed from Ware-Butler, Inc., dated July 29, 1986 and recorded as aforesaid in Deed Book 2994, at Page 346.

THIS CONVEYANCE IS MADE SUBJECT, however, to the following restrictions which will be binding upon the said Grantees and all persons claiming or holding under said Grantees:

1. That said land shall be used only for residential purposes and not more than one residence and the outbuildings thereof, such as a garage, shall be allowed to occupy said land or any part thereof at any time, nor shall said lots be subdivided or sold or leased in parcels, nor shall any building at any time situate on said land be used for business or manufacturing purposes; that no outbuildings shall be occupied as a residence prior to the construction of the main dwelling.

38-76

2. That no house for more than one family and costing less than forty thousand dollars (\$40,000.00) shall be built on said land, and no building, including garages, shall be erected or placed on any part of said land within thirty (30) feet of said Barnet Avenue and within ten (10) feet from any boundary line.
3. That no placards or advertising signs, other than such as relate to the sale or leasing of said lots, shall be erected or maintained on said lot or any building thereon.
4. That no fences or construction of any kind, other than a dwelling shall at any time be erected in any position to interfere with the view from residences on adjoining lots.
5. That no cows, horses, goats, swine, hens or dog kennels shall at any time be kept or maintained on said lots or in any buildings thereon.
6. The Grantees, their heirs and assigns, shall not obstruct or divert the natural flow of water across the above described parcels of land as to cause damage or nuisance to any abutting owner.
7. That if the owner of two or more contiguous lots desires to improve said lots as one lot, that insofar as such contiguous lots are concerned, the foregoing covenants or restrictions shall be construed as applying to a single lot.
8. The Grantor herein does not hold itself responsible for enforcement of the aforementioned restrictions.

of the month of June , A.D. 19 87.

Signed, Sealed and Delivered

in presence of

*[Signature]*

to both

ELKS CLUB OF WATERVILLE, INC.

By:

*[Signature]*  
Perley G. Beane, President

*[Signature]*  
Kempton L. Wakefield, Sr., Secretary

State of Maine, County of

Kennebec

ss.

June 15 , 19 87.

Then personally appeared the above named Perley G. Beane and Kempton L. Wakefield, Sr., its President and Secretary, respectively, of said Grantor corporation

and acknowledged the foregoing instrument to be their free act and deed in their said capacity.

Before me,



*[Signature]*  
David R. Whittier, Esq. Notary Public  
Attorney at Law

RECEIVED KENNEBEC SS.

1987 JUN 18 AM 9:00

RECORDED FROM ORIGINAL

MY COMMISSION EXPIRES AUGUST 31, 1993  
Printed Name, DAVID R. WHITTIER